



OPEN MEETING AGENDA ITEM



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Susan Pitcairn

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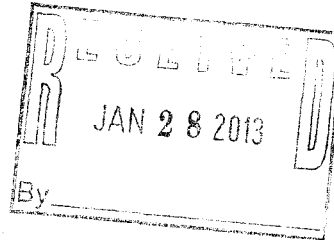
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Docket #

E-60000C-11-0328

January 24, 2013

Arizona Corporation Commission
Commissioners Wing
1200 W. Washington
Phoenix, AZ. 85007-2996



Dear Commissioners,

I urge you to adopt an Opt Out policy regarding Smart Meters for the citizens of Arizona. As you know, many have objected to them on the basis of health and security, including the security of the grid.

To allow utilities to impose a costly fee is unfair, particularly to those that find themselves electrosensitive due to the enormous proliferation of wireless technologies in the last decade, a group of technologies that even the World Health Organization has listed as a possible carcinogen.

You have already heard many arguments from citizens on this topic. I simply want to register my support of your making this courageous and important stand on behalf of the citizens of our state, to exercise your power responsibly and compassionately.

Enclosed find a letter we sent to APS, of non consent to the installation of wireless devices on our property, sent by certified mail to Donald Robinson, CEO of APS.

Thank you,

Susan and Richard Pitcairn

Sedona, AZ 86336

Susan Pitcairn
Richard W. Pitcairn, DVM
PhD

Arizona Corporation Commission
DOCKETED

FEB - 5 2013

DOCKETED BY



Docket #

E-00000C-H-0328

TO: Agent for Service @
Donald G. Robinson, President and CEO
Arizona Public Service
400 North 5th Street
Phoenix, Arizona 85004

1-19-13

Re: [REDACTED]
[REDACTED]
Sedona, Arizona 86336

**NOTICE OF NO CONSENT TO TRESPASS AND SURVEILLANCE,
NOTICE OF LIABILITY**
Sent By Certified Mail

Dear President Robinson, agents, officers, employees, contractors and interested parties:

Please be advised, you and all other parties are hereby legally denied consent for installation and use of any and all "Smart Meters", Advanced Metering Infrastructure meters or Automated Remote Reader Meters or any other electronic surveillance and activity monitoring device or devices at our property at 1865 Gun Fury Road, Sedona, Arizona 86336. This includes any update to our 2012-installed two-way photovoltaic meter, as stated in an email sent to our installer on December 21, 2012, stating, "APS is required to soon begin providing photovoltaic performance meters for all new grid-tied installations and incrementally replace meters on existing systems that have received incentives."

We were promised verbally by your representatives in 2012 that we could "opt out" of a wireless Smart Meter for our solar installation when this program comes to Sedona and that the Itron meter installed in 2012 to replace our analog meter was not a transmitting meter, that it would be read manually. Yet, it appears with our radiofrequency monitoring meter (EMFields Acoustimeter Model AM-10) that there are wireless transmissions occurring at a concentrated level by our meter, in comparison to the locale. We ask for immediate investigation of this issue by your staff.

The Federal Energy Policy Act of 2005 promotes "smart meters" but did not make their installation mandatory. However, some electrical utilities are interpreting it this way. Installation and use of any surveillance and activity monitoring device that sends and receives wireless or powerline communications technology is hereby refused and prohibited.

Informed consent is legally required for installation of any surveillance device and any device that will collect and transmit private and personal data to undisclosed and unauthorized parties for undisclosed and unauthorized purposes. Authorization for

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sharing of personal and private information may only be given by the originator and subject of that information. That authorization is hereby denied and refused with regard to the above property and all its occupants.

“Smart Meters” violate the law and cause endangerment to residents by the following factors:

- 1. They individually identify electrical devices inside the home and record when they are operated, causing invasion of privacy.
- 2. They monitor household activity and occupancy in violation of rights and domestic security.
- 3. They transmit wireless signals which may be intercepted by unauthorized and unknown parties. Those signals can be used to monitor behavior and occupancy and they can be used by criminals to aid criminal activity against the occupants.
- 4. Data about occupant's daily habits and activities are collected, recorded and stored in permanent databases which are accessed by parties not authorized or invited to know and share that private data by those whose activities were recorded. Those with access to the smart meter databases can review a permanent history of household activities complete with calendar and time-of-day metrics to gain a highly invasive and detailed view of the lives of the occupants. Those databases may be shared with, or fall into the hands of criminals, blackmailers, corrupt law enforcement, private hackers of wireless transmissions, power company employees, and other unidentified parties who may act against the interests of the occupants under metered surveillance.
- 6. “Smart Meters” are, by definition, surveillance devices which violate Federal and State wiretapping laws by recording and storing databases of private and personal activities and behaviors without the consent or knowledge of those people who are monitored. It is possible for example, with analysis of certain “Smart Meter” data, for unauthorized and distant parties to determine medical conditions, sexual activities, and physical locations of persons within the home, vacancy patterns and personal information and habits of the occupants.
- Your company has not adequately disclosed the particular recording and transmission capabilities of the smart meter, or the extent of the data that will be recorded, stored and shared, or the purposes to which the data will and will not be put.
- 7. Electromagnetic and Radio Frequency energy contamination from smart meters exceeds allowable safe and healthful limits for domestic environments. The World Health Organization classified radiofrequency radiation as possibly carcinogenic in May 2011. This classification was based on a review of the scientific literature, including studies that showed a correlation between low intensity RF signals and cancers. This classification applies to all sources. Clearly, this is call for greater health protections by reducing the safety limits of the FCC's RF human exposure guidelines as they are inadequate, only protect against tissue heating or burn and an exposure period of short duration.
- 8. Smart meters can be hacked and will be hacked. The small CPU in these meters cannot protect itself as good as a home PC can, and home PCs are well known for being compromised. By deploying these in the millions with the same exact

software and hardware they become a huge target and will endanger the community if an attacker can switch the power on and off from remote in mass. This makes these Smart Meters dangerous and a liability to the ratepayers who would have to ultimately pay for any damage.

- 9. Smart meters are not protected from EMP attacks, large EMPs or localized EMPs as simple as a kid with a battery and a coil (Electro Magnetic Pulse).
- Disabling the receiver will not prevent other forms of "hacks". For example a malicious attacker could confuse the internal CPU, reset it, change random memory locations, change the KWH reading, force a power disconnect, or completely disable a smart meter with a simple coil of wire and a small battery. This can't happen with a mechanical meter. It is well known that a wide EMP can take out car computers; smart meters will now make that possible on the city wide electric infrastructure. A thief or burglar could use the same EMP or hacking methods to turn off the house power even if the electrical switch box is locked.
- 10 Encryption of data is irrelevant due to well known "Tempest" attacks; see en.wikipedia.org/wiki/TEMPEST where an attacker monitors internal electrical switching signals of a CPU or other internal components from a distance. Governments have developed standards covering this. Compromising emanations are defined as unintentional intelligence-bearing signals which, if intercepted and analyzed, may disclose the information transmitted, received, handled, or otherwise processed by any information-processing equipment, like in Smart Meters. This would violate customers' privacy and any privacy policy the power company has at this time.
- 11. Turning off the RF transmitter is irrelevant due to the well-known "Tempest" attacks, the RF wireless transmitter is not needed in these attacks and disabling the RF transmitter completely negates any advantages of these Smart Meters or their costs anyway.
- 12. The power company has not adequately disclosed the encryption or security methods to the public. The source code to any data encryption must be open source and peer reviewed by the security community at large in order to be as secure as is currently possible. Security by obscurity is no security at all.
- 13. Smart Meters could be changed by remote control to read more than they should with little risk that a customer would know. Previously it was "fair" that the power company had to go to a lot of trouble to adjust a mechanical meter to read more than it should, since they had to come out to do it manually. Ratepayers can't modify the mechanical meter because it's locked up; the power company probably won't do it because it's just too costly, and so that was "fair enough". Now with the smart meters a company could remotely modify computer code or measurement values / ratios from remote and who would ever know? This is an unfair practice and a liability to the ratepayers.
- 14. The power company has misled the public leaving out publicly available facts and information regarding smart meters. There are many downsides to this new technology that the power company has not presented to the general public. Information is slanted and doesn't address the negative issues fully.
- 15. Smart meter installation is not mandatory. The Energy Policy Act of 2005 as amended, requires the power companies to "invite" their customers to have a

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smart meter installed. Any suggestion by the power company to customers that smart meters are mandatory is a false statement, fraudulent, and false commercial speech which is punishable by law and also opens the power company to liability via lawsuit.

- 16. The power company has no delegated authority from the People to install a security risking, privacy invading, health threatening, hackable, unfair billing, or power grid security-threatening device on anyone's property.
- 17. It is well known to electronic and computer engineers that a high voltage spike, such as a nearby lightning strike, or EMP can change memory bits in normal memory or EEPROM memory (Electronically Programmable Memory that is non-volatile) by adding extra electrons to the small memory cells. This can change internal smart meter settings like the KWH calibration data or other settings that may change the rate of power charged without the customer or power company ever knowing about it. This can't happen with a mechanical meter.
- 18. Installation of a smart meter will lower this property's value due to all the stated issues and controversy. This could subject ALL the ratepayers to higher rates due to lawsuit claims for value lost. The power company has no delegated authority from the People to use its easement or install equipment in a way that will lower property values or make a property less desirable to a buyer.

We call for an immediate stop to the installation of all Smart Meters by APS until all issues are resolved, with Smart Meters to be removed at customers request with no extra charge, and with an opt-in only for customers who are properly and fully informed and that must have this technology for their own specific need. This is in the public's best interest.

We also call for an immediate investigation into these issues by the Arizona Corporation Commission.

We forbid, refuse and deny consent of any installation and use of any monitoring, eavesdropping, and surveillance devices on our property, our place of residence and our place of occupancy. That applies to and includes "Smart Meters" and surveillance and activity monitoring devices of any and all kinds. Any attempt to install any such device directed at us, other occupants, our property or residence will constitute trespass, stalking, wiretapping and unlawful surveillance and endangerment of health and safety, all prohibited and punishable by law through criminal and civil complaints.


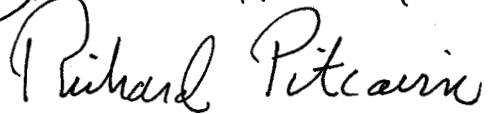
All persons, government agencies and private organizations responsible for installing or operating monitoring devices directed at or recording my activities, which we have not specifically authorized in writing, will be fully liable for any violations, intrusions, harm or negative consequences caused or made possible by those devices whether those negative consequences are justified by "law" or not.

This is legal notice. After this delivery the liabilities listed above may not be denied or avoided by parties named and implied in this notice. Civil Servant immunities and

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protections do not apply to the installation of smart meters due to the criminal violations they represent.

Notice to principal is notice to agent and notice to agent is notice to principal. All rights reserved.

1-19-13

1-19-13

Susan H. Pitcairn
Richard H. Pitcairn
1865 Gun Fury Road
Sedona, Arizona 86336

Account # 091055289

Trisha A. Morgan

E-00000C-11-0328

From: aliinksa jaffer [REDACTED]
Sent: Saturday, February 02, 2013 3:25 PM
To: Pierce-Web; newma-web@azcc.gov; Burns-Web; Stump-Web; Kennedy-Web
Subject: Smart Meter Workshop

Dear Commissioners,

I would like to thank you for your hard work and effort on the Smart Meter Workshop. As a resident of Snowflake, and someone with Environmental and Electromagnetic sensitivity, I greatly appreciate your work in ensuring that those citizens who would like to opt out of smart meters have the right to do so. By tasking Mr. Olea and AZCC staff members with the responsibility of developing an opt out policy you have clearly shown your seriousness and impartiality in addressing this issue.

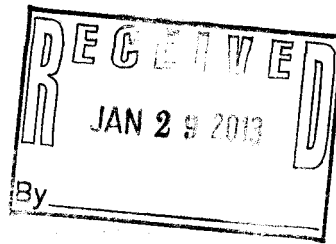
Thank you again for your time and effort,

Sincerely,

Ali Jaffar

[REDACTED],
Snowflake, AZ 85937

Arizona Corporation Commission (ACC)
1200 West Washington Street
Phoenix, Arizona 85007



January 26, 2013

O Dear Commissioners,

I do not want to write this letter. Praying that it be not in vain. Though your criminal, corrupt, negligence; calls forth self defending action! So called "Smart" meters have NO place in the lives of most people, if any. Allowing massive, forced installation, is a HUGE mistake! The repercussions of which will be seriously devastating for all.

I'm aware of the ignorance, and misinformation, abundantly circulated on all sides of this unfortunate issue. An issue that would *not exist* without the extremely misguided, underhanded, funding from the Federal Government. A harried rush to do something "good" without due process of looking at ALL the facts; long term costs/benefits, and all possible problems along the way. One needs look long & hard, at anything before throwing 3.5 Billion dollars at it.

The monetary muscle "pushing" this ill conceived "issue," doesn't make it any better than it's flawed reality. The serious concerns for **Health, Safety, Property, & Privacy**, are all very real. Not to mention there is NO financial benefit; often an actual reversal. Who is kidding who here??!

It is the ACC's responsibility to protect the people, and their interests. ALL the people; NOT just select "special" interest groups. Is this not the mandate for which you are being paid??

No need here to address specific details of these transgressions against the people. You have been sent more than enough evidence on ALL these various points of trespass. Is it not incumbent upon the ACC to properly, and thoroughly research each and every one of these points in the name of being accurate & complete (doing your jobs)??? There are mountains of information awaiting your undivided, sincere, attention.

Many like myself, are generally not disposed to writing a letter like this. But that doesn't mean we are not watching this like a hawk! You're getting too close to home with your misguided sloppiness. Please stop kidding yourselves! Put an indefinite stay on this poorly conceived program. Making the aftermath fix easier to deal with. As resistant as some will be to putting "smart" meter installation on hold; you will end up looking like honest Commissioners, *with foresight*. Better safe, than sorry! I sense nothing but trouble for these "smart" meters down the road – **BIG troubles!!!** *The virtue of patience, allows for clearer understanding.*

Sifting out ALL agenda driven, biased, pseudo-science – leaves clear, clean, unbiased science & data [independently verified] that speaks for itself. Up dating regulation standards to handle technology now available, that were written before these implementations were even possible. This takes persevering patience.

No need to reply to me regarding this letter. Any way this is sliced - you've got a heck of a lot of work to do - so get busy! **THIS IS NO SMALL TASK TO DO WELL!** I wish you Godspeed!!! And if not done well; this "Pandora's Box" will cost incalculable suffering, across the board, to re-close! Those whom you love, and love you; are counting on you doing what is correct, and proper here. *Please...* do not let them down! Doing the "right" thing, is seldom ever popular – but it is the **"right" thing to do!!**

Sincerely,

Stan Kingman

Sedona, AZ 86339

KAREN HUNT

~~_____~~
Prescott Valley, AZ 86314

E-00000C-11-0328

Re: Bob Stamp.

understand that a Representative
on Lawrence Berkeley National
Lab. of Northern Arizona (LBL)
which is a Federal Scientific Lab.
is Representative work for the
Federal government. Not an independent
lab. Have other Research people come
that is not Recommended by ADs.

I myself had to Opt. Out because
of history of Migraines, Thyroid, Heart,
Cancer, Ring of the ears.

The Companies That make the
Veterans got There money from US
tax payers in the first Bailout of 2009.

I am sending just a few of many
about the Lawsuits & Side effects

People who have medical devices
would not have the smart meters
cause it interferes with the device.
This gentleman knows this as well.

Sincerely,
Karent Hunt

Trisha A. Morgan

From: C Matina [REDACTED]
Sent: Friday, January 25, 2013 10:48 AM
To: Utilities Div - Mailbox; Pierce-Web; Burns-Web; BitterSmith-Web; Stump-Web; RBurns-Web
Cc: [REDACTED]
Subject: smart meter docket

Arizona Corporation Commission Docket Control Center and Commissioners

We are writing to be added to the many residents who are growing in number to object to the forced installation of smart meters and the retaliatory forced fees associated with smart meter opt outs.

Your duty is to the constituents of this great state....you should not dare to appear to be puppets of powerful lobbies....it is your duty to answer to the taxpayers and to protect us from harm.

We are senior citizens whose incomes are shrinking as the economy stalls. We live on one Social Security check and one small pension.

How dare we be told that we have no choice but to pay outrageous fees in order to protect ourselves from danger of EMF and fires! Our analog meter works just fine and offers us no danger and no health threats. We should have the right to refuse installation of these so-called smart meters, and we should have the right to do so without penalty, without fees.

As Judge Warren Woodward in his December 2012 letter to your offices clearly enumerates, we agree.

The eight "smart" meter guidelines proposed by your staff are an absolute affront to ratepayers. The "guidelines" seem to be straight from the **utilities' wish list**. The "guidelines" reflect none of the concerns raised by ratepayers at the **open hearings** convened by the **Arizona Corporation Commission (ACC)** in September 2011 and March 2012. Nor do the "guidelines" address any of the concerns submitted by ratepayers to the docket the ACC set up for "smart" meters. The "guidelines" therefore call into question the ACC staff's competence and integrity. Is staff corrupt or just incompetent? Either way, a thorough investigation is needed.

What is remarkably callous and inexcusable is that even after being informed of the **wireless microwave radiation dangers** by scientists, medical professionals and people who actually suffer from radio frequency overexposure, the **ACC** still allows wireless "smart" meters and now has the audacity, **the effrontery to propose a fee for those who wish to avoid it!**

We are pleading with the AZCC to deny the APS and Pinnacle West request to charge us a fee for opting out, and we are exhorting you to make it clear to APS and Pinnacle West that opting out should be an easy and honored request.

Sincerely,

Mr and Mrs Carmen Matina
[REDACTED] Sedona, AZ 86351

Request for Information

Dear Commissioners and Mr. Olea,

As a concerned citizens, it is responsible for us to ask for the answers to the excellent questions, Judge Yip-Kikugawa asked of the investor-owned utilities (IOUs) concerning 'smart meter' opt-out proposals. If you have answers to these questions for each of your IOUs, please post them as soon as possible on ACC Docket # E-00000C-11-0328, so the public can view the answers for their individual electric utilities.

If you have not already asked these questions of the IOUs you regulate, please ask APS, and all of the electrical utilities you regulate, to answer the following questions asked by CPUS Judge Amy C. Yip-Kikugawa. Please post the results in a timely manner, before your commission rules on Smart/automated meters and mesh network grids and the so called, 'opt-out' program. The public needs to know this information from our own Corporation Commission representatives.

Sincerely,
Patricia Ferre

Judge Questions Utilities on 'Smart Meters'

<http://eon3emfblog.net/?p=3687>

The following ruling was posted 10/18/2011 by California Public Utilities Commission (CPUC) Administrative Law Judge Amy C. Yip-Kikugawa in the proceeding concerning 'smart meter' opt-out proposals. **They are questions all responsible officials and concerned citizens should be asking.** The PDF can be downloaded here.

ADMINISTRATIVE LAW JUDGE'S RULING SEEKING CLARIFICATION

This Administrative Law Judge's Ruling (Ruling) seeks clarification from Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), Southern California Edison Company (SCE) and Southern California Gas Company (SoCalGas)

(collectively, the investor-owned utilities or IOUs) concerning the frequency and duration of radio frequency (RF) emissions from wireless smart meters.¹ This clarification shall be filed by November 1, 2011.

On September 14, 2011, I held a combined workshop to consider alternatives for customers who wish to opt-out of a wireless smart meter. Representatives from the IOUs and the smart meter manufacturers were present to discuss the technological feasibility and costs of the various alternatives. During the workshop, there were various comments concerning the frequency and duration of the transmissions from the wireless smart meters. According to some parties, the wireless smart meters transmit data in short bursts throughout the day, with each burst lasting a few milliseconds. These parties state that, on average, the cumulative amount of time for the transmission would be 45 seconds a day. **Other parties, however, state that while the transmission burst may only last a millisecond, the frequency of the transmission occurs so often that the transmission should be considered constant. I want to make sure I fully understand this issue.**

Consequently, I am asking the IOUs to provide further clarification concerning the frequency and duration of the transmissions from the wireless meters and the associated RF emissions. PG&E, SDG&E, SCE and SoCalGas shall, therefore, respond to the following questions:

1. What is an average duration (in seconds) that a residential smart meter transmits in a 24 hour period?
 - a. How is this average computed or measured?
2. How many times in total (average and maximum) is a smart meter scheduled to transmit during a 24-hour period?
 - a. How many of those times (average and maximum) are to transmit electric usage information?
 - b. How many of those times (average and maximum) are for other purposes? What are those other purposes?
Please specify number of times (average and maximum) by type/category of transmission.
3. Under what scenarios does a meter transmit outside of the daily schedule, i.e., unscheduled transmission such as on-demand read, tamper/theft alert, last gasp, firmware upgrade etc.?
4. Typically, how much of the communication between the

- customer's meter and the utility is unscheduled vs. scheduled?
5. Are there any other factors that go into determining duration and/or frequency of meter transmissions (e.g., if a meter can't access the network when it's trying to send data, type of a meter etc.)? If yes, please identify these factors.
 6. What is the amount of RF emission at the source when a meter is transmitting data (instantaneous maximum peak level, averaged over 30 minutes)?
 7. Does the amount of RF emission vary depending on duration of transmission/volume of data being sent? For example, are RF emissions higher when there is a larger volume of data to be transmitted?
 8. Are there any other factors that impact the amount of RF emissions? If so, please identify the factor(s) and its impact on RF emissions.
 9. Is there RF emission when the meter is not transmitting? If yes, what is the amount of RF emission?
 10. Is there a difference in the amount of RF emissions for a wireless smart meter with the radio off and a smart meter with the radio out? If yes, what is that difference and how is it calculated?
 11. Is there a difference in the amount of RF emissions for a wireless smart meter with the radio off and an analog meter? If yes, what is that difference and how is it calculated?

As part of their responses to the questions above, the IOUs shall identify the individual who prepared the response to each question. The IOUs shall file their responses to the questions listed above by November 1, 2011.

IT IS RULED that by November 1, 2011, Pacific Gas and Electric Company, San Diego Gas & Electric Company, Company, Southern California Edison Company, and Southern California Gas Company shall file a response to the questions concerning radio frequency emissions listed in this Ruling.

Dated October 18, 2011, at San Francisco, California.

/s/ AMY C. YIP-KIKUGAWA
Amy C. Yip-Kikugawa
Administrative Law Judge